

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

May 20, 2002

**MISC. ORDER
2002-05**

BY THE COURT:

Associate Justice Coleman A. Blease is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77 and 78, during the absence of the Presiding Justice from the court on May 24, 2002, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Scotland, Presiding Justice; Davis, Associate Justice; Callahan, Associate Justice; and Guzman, Bailiff. Calendar Called.

C036661 SMITH v. AREA DEVELOPERS

Cause called. Robert P. Biegler argued for appellant. No appearance was made on behalf of respondent as argument was previously waived and approved. Cause submitted.

At 9:50 a.m., the court recessed. At 9:52 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Davis and Associate Justice Callahan.

C037352 NEWELL v. HAUSCHILDT et al.

Cause called. Linda D. Boudier argued for appellant. Michael K. Pazdernik argued for respondents. Cause submitted.

At 10:13 a.m., the court recessed. At 10:26 a.m., the court reconvened with Acting Presiding Justice Sims and Associate Justice Kolkey. Associate Justice Nicholson was not present.

C036514 AEROJET-GENERAL CORPORATION v. TRANSCONTINENTAL INSURANCE COMPANY et al.

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Scott P. DeVries argued for appellant. Deborah E. Beck and Carl L. Blumenstein appeared only for appellant. Steven M. Crane argued for respondent Transcontinental Insurance Company. Kevin P. Kamraczewski argued for respondent United States Fire Insurance Company. Cause submitted.

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C037097

**AEROJET-GENERAL CORPORATION v. UNITED STATES FIRE
INSURANCE COMPANY et al.**

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Scott P. DeVries argued for appellant. Deborah E. Beck and Carl L. Blumenstein appeared only for appellant. Steven M. Crane argued for respondent Harbor Insurance Company. Kevin P. Kamraczewski argued for United States Fire Insurance Company. Cause submitted.

At 11:08 a.m., the court recessed. At 2:00 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims and Associate Justice Nicholson.

C037586

SLOCUM et al. v. CAMPBELL et al.

Cause called. Janice Slocum argued for herself in pro per as appellant. Albert Slocum appeared only and submitted additional citations. Eric R. Wiesel argued for respondents. Cause submitted.

At 2:18 p.m., the court recessed. At 2:22 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Nicholson and Associate Justice Hull.

C032494

**NEC BUSINESS COMMUNICATION SYSTEMS (WEST), INC. et al. v.
STATE OF CALIFORNIA and PACIFIC BELL, etc., et al.**

Cause called. Craig J. de Recat argued for appellant GTE California, Inc. Candace A. Younger appeared only. Paul F. Dauer argued for appellants NEC Business Communication Systems et al. and submitted additional citations. Jennifer Dauer McCready appeared only. Ramon de la Guardia, Deputy Attorney General, argued for respondent. Robert S. Metzger argued for respondent MCI Telecommunications Corp. Bobby C. Lawyer argued for respondent Pacific Bell, etc. Cause submitted.

At 3:23 p.m., the court recessed. At 3:30 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis and Associate Justice Morrison.

C038757

**BARCA v. VILLAGE GREENS CONDOMINIUM HOMEOWNERS
ASSOCIATION et al.**

Cause called. Joseph H. Marman argued for appellant. Charity Kenyon argued for respondents. Cause submitted.

At 3:48 p.m., the court recessed. At 3:53 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Davis and Associate Justice Callahan.

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C038105 JONES v. GOURLEY, etc.
Cause called. Kristin M. Daily, Deputy Attorney General, argued for appellant.
Stephen A. Munkelt argued for respondent. Cause submitted.

At 4:24 p.m., the court recessed until 9:30 a.m., Tuesday, May 21, 2002.

C037179 THE PEOPLE v. SCHULTZ (Not for Publication)
The judgment is affirmed in its entirety.
 BLEASE, Acting, P.J.
We concur: Sims, J.
 Davis, J.

C037719 THE PEOPLE v. LOPEZ (Not for Publication)
The judgment is affirmed.
 DAVIS, J.
I concur: Raye, J.
I concur in the result reached by the majority...
 Scotland, P.J.

C038410 THE PEOPLE v. ONE BLAUPUNKT CELLULAR TELEPHONE et al. (Not for Publication)
The judgment of forfeiture is reversed and the case is remanded for further
proceedings. Appellant is awarded his costs on appeal.
 DAVIS, Acting P.J.
We concur: Nicholson, J.
 Callahan, J.

C039116 THE PEOPLE v. COLLIER (Not for Publication)
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Davis, J.

C039533 THE PEOPLE v. ZAMORA (Not for Publication)
The judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Raye, J.
 Morrison, J.

C037584 AIR MAXIMUM, INC., v. BRCO CONSTRUCTORS, INC., (Not for Publication)
The judgment is affirmed.
 DAVIS, Acting P.J.
We concur: Nicholson, J.
 Hull, J.

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C034381 **BROWN v. REGENTS OF THE UNIVERSITY OF CALIFORNIA**
C035554 Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Martin Blake argued for appellant. Barbara S. Perry argued for respondent. Cause submitted.

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May 21, 2002, continued

At 10:50 a.m., the court recessed. At 10:58 a.m., the court reconvened with Acting Presiding Justice Raye and Associate Justice Morrison. Associate Justice Nicholson was not present.

C037608

LIND et al. v. TIG INSURANCE COMPANY et al.

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Joel D. Bierer argued for appellants. James G. Boedecker argued for respondents. Cause submitted.

At 11:35 a.m., the court recessed. At 2:02 p.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Morrison and Associate Justice Callahan.

C038619

HANSEN v. THE PERMANENTE MEDICAL GROUP, Inc., et al.

Cause called. Dr. Carmen Hansen, M.D. argued as herself in pro per as appellant. Norman C. Hile argued for respondents. Trish Higgins appeared only. Cause submitted.

At 2:20 p.m., the court recessed. At 2:23 p.m., the court reconvened with Acting Presiding Justice Morrison, Associate Justice Hull and Associate Justice Kolkey.

C037432

THE PEOPLE v. BRAY

Cause called. Charles M. Bonneau, court appointed counsel, argued for appellant. Susan Rankin Bunting, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:48 p.m., the court recessed. At 2:52 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison and Associate Justice Hull.

C040583

In re DEBRA K. SCHMIDT on Habeas Corpus.

C040942

Cause called. Rollie M. Pennington argued for petitioner. Charles A. French, Deputy Attorney General, argued for real party in interest. Cause submitted.

C040966

At 3:50 p.m., the court recessed until 9:30 a.m., Wednesday, May 22, 2002.

C038848

THE PEOPLE v. MILAM

(Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: Morrison, J.

Hull, J.

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At 10:45 a.m., the court recessed. At 10:47 a.m., the court reconvened with Acting Presiding Justice Sims and Associate Justice Morrison. Associate Justice Nicholson was not present.

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May 22 2002, continued

C037622

GARCIA, etc. v. REHRIG INTERNATIONAL, Inc.

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Marjorie E. Manning argued for appellant. Michael J. Trezza argued for respondent. Cause submitted.

At 11:12 a.m., the court recessed. At 11:13 a.m., the court reconvened with Acting Presiding Justice Davis and Associate Justice Hull. Associate Justice Nicholson was not present.

C036803

ANDERSON v. BOARD OF PSYCHOLOGY et al.

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Karen Anderson argued for herself in pro per as appellant. Mara Faust, Deputy Attorney General, argued for respondents. Cause submitted.

At 11:27 a.m., the court recessed. At 11:31 a.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Raye and Associate Justice Hull.

C036565

THE PEOPLE v. MARTIN

Cause called. Michael Rothschild argued for appellant. Janet E. Neeley, Deputy Attorney General, argued for respondent. Cause submitted.

At 12:12 p.m., the court recessed. At 2:01 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Raye and Associate Justice Hull.

C038586

BARKER v. VULCAN CHEMICAL TECHNOLOGIES, INC., et al.

Cause called. Joseph S. Genshlea argued for appellants. Jeffrey M. Anderson, James M. Schurz and A. H. Gaede, Jr. appeared only for appellants. Hartley T. Hansen argued for respondent. Kevin R. Culhane and Hugh E. Comisky, Jr. appeared only for respondent. Cause submitted.

At 2:47 p.m., the court recessed. At 2:55 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Raye and Associate Justice Callahan.

C037154

BABB v. BABB

C038228

Cause called. Robert A. Roth argued for appellant. Harrison L. Goodwin argued for respondent. Cause submitted.

C038695

At 3:25 p.m., the court recessed. At 3:33 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Raye and Associate Justice Morrison.

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We concur: Davis, J.
Kolkey, J.

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May 24, 2002

C037949 **THE PEOPLE v. YARBROUGH III** **(Certified for Publication)**
The judgment is affirmed.
MORRISON, J.
We concur: Scotland, P.J.
Sims, J.